

PATENT
Attorney Docket No. :17882-706
Application Serial No. 08/895,938

In the Claims:

Please cancel claim 53, 54, and 66, without prejudice.

47. (Amended) The method of claim 1 wherein:

[the container comprises a] said jacket [defining] defines an interstitial space positioned between the jacket and [a] said outer wall of the container for receiving a flow of a heat exchange fluid said jacket further including a plurality of spiral baffles for enhancing thermal exchange between the heat exchange fluid and the container.

REMARKS

Claims 36-40, 44-52, 55-62, 64, 65, and 68 are pending in the application. Claims 53, 54, and 66 have been cancelled, without prejudice. Claim 47 has been amended. No new matter has been added through these amendments. It remains Applicant's position that claims 36-40, 44-52, 55-62, 64, 65, and 68, as filed in the Response dated August 30, 2000, and as amended herein, define over the references of record. These amendments have been made solely to make the pending claims more definite and less vague to one of ordinary skill in the art.

Applicants point out that thermal bridges are to be understood as frozen bridges of medium (i.e. medium comprising a biopharmaceutical product).

Regarding "buffer solutions" recited on page 7, lines 4-5 of the specification, Applicants clarify that such a term as used in the specification is not inconsistent with the definition advanced by declarants Arathoon, Burman, Lawlis, Jr., and Vetterlein. Basically, a biopharmaceutical buffer solution is not a standard laboratory inorganic pH buffer such as are routinely purchased from chemistry supply houses, but rather is a buffer solution that "is derived from biological sources that has an intended therapeutic application and whose manufacturing is or will be regulated by the pharmaceutical or veterinary regulatory agencies."

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Applicants have deleted the term ", and the optimum gap may be no gap" from the Specification at page 6, lines 9-10, to rectify what might otherwise seem to be an inconsistent use of the English language, i.e. to remove indefiniteness from the use of the term "gap."

Conclusion:

Applicants submit that the currently pending claims are in condition for allowance. Prompt consideration and timely issuance of all pending claims are respectfully requested. Any questions regarding this matter may be addressed to the undersigned at (650) 849-3438.

The Commissioner is authorized to charge any additional fees which may be required, including petition fees and extension of time fees, to Deposit Account No. 23-2415 (Docket No. 17882-706).

Respectfully submitted,

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